

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:09CR457
)	
v.)	
)	
DESHAWN HERNANDEZ,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on the motion of Billy Roy Tyler to appeal in forma pauperis (Filing No. [924](#)) and the application to proceed in district court without prepaying fees or costs (Filing No. [925](#)), filed on June 24, 2011. On July 6, 2011, the United States Court of Appeals for the Eighth Circuit entered a judgment (Filing No. [915](#)) that a prior appeal by Billy Roy Tyler was dismissed for lack of jurisdiction. Inasmuch as this application involves the same issue, Mr. Tyler's application is moot and will be denied. Accordingly,

IT IS ORDERED that the application of Billy Roy Tyler to proceed in district court without prepaying fees or costs is denied as moot.

DATED this 12th day of July, 2011.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court